

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOE HAND PROMOTIONS, INC.,

Plaintiff,

-against-

JAMES H. COLLINS, et al.,

Defendants.
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ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

On June 13, 2007, this Court entered an order that, among other things, directed plaintiff "to serve and file via ECF a supplemental submission addressing the legal and factual bases for holding defendant James H. Collins individually liable." 6/13/07 Order at 1. Plaintiff failed to respond to the Court's directive, thereby abandoning its claims against the individual defendant. Moreover, the James Howard Collins who was served with the summons and complaint has notified the Court that he is not the James H. Collins affiliated with JHC Enterprises Inc. or BKNY Bar & Lounge of 887 Fulton Street, Brooklyn, NY. See Letter to the Court dated June 14, 2007, from James Howard Collins. For both of these reasons, it is the recommendation of this Court that plaintiff's motion for entry of a default judgment against James H. Collins individually be denied, and that plaintiff's claims against Collins be dismissed.

The evidentiary hearing against the corporate defendant will go forward as scheduled on August 2, 2007, at 3:30 p.m.

Any objections to the recommendations contained in this Report and Recommendation must be filed with the Honorable Raymond J. Dearie on or before July 20, 2007. Failure to

July 31, 2007
Adopted
As ordered
s/ Judge Raymond J. Dearie
RJD
**REPORT AND
RECOMMENDATION**

06-CV-6521 (RJD)

file objections in a timely manner may waive a right to appeal the District Court order. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(e), 72; Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

The Clerk is directed to enter this Order into the ECF system and to send copies, via Federal Express, to the defendants at the following addresses:

James H. Collins
312 Water Street, Apt. 2A
Brooklyn, NY 11201

James H. Collins
c/o JHC Enterprises, Inc.
d/b/a BKNY
a/k/a BKNY Bar & Lounge
887 Fulton Street
Brooklyn, NY 1238-1745

JHC Enterprises, Inc.
d/b/a BKNY
a/k/a BKNY Bar & Lounge
887 Fulton Street
Brooklyn, NY 1238-1745

SO ORDERED.

**Dated: Brooklyn, New York
July 6, 2007**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**